



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ENVIRONMENTAL CLEANUP

August 13, 2009

Bob McHugh, President
Sakrete of Pacific Northwest, Inc.
1402 North River Street
Portland, Oregon 97227-1726

Re: First Request for Information; Portland Harbor Superfund Site, Portland, Oregon
Sakrete of Pacific Northwest, Inc. Notice of Late Response and Potential Enforcement
Action

Dear Mr. McHugh:

The United States Environmental Protection Agency, Region 10 (EPA) continues to investigate the releases or threat of releases of hazardous substances associated with the Portland Harbor Superfund Site ("Site"). By letter, dated January 18, 2008, EPA sent to you the First Request for Information related to the Site. You received the First Request for Information on January 21, 2008; enclosed is a copy of the delivery receipt. The original deadline for responding to the First Information Request was May 16, 2008, however an extension request dated May 16, 2008, applying for an extension of time until September 1, 2008, was granted by EPA on May 16, 2008.

Our records indicate that you have not responded nor did you request an additional extension of the deadline, by the established due date. Please inform us immediately in writing if our records are incorrect and that you have in fact responded to the request. Please include relevant information as to when you responded.

Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C § 9604(e), you are again requested to respond to the Information Request. We have included another copy of the Request for your convenience. It is a serious matter if you do not respond to the Information Request. **Compliance with the Information Request is required by law. Failure to respond fully and truthfully to the Information Request by the due date of the Request which was September 1, 2008, may result in an enforcement action by EPA.** Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C § 9604(e) (5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, EPA is authorized to commence an action to assess civil penalties of not more than \$37,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also be further advised that provision of false,

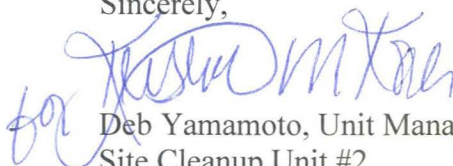
fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. You have an ongoing duty under this first Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

Please mail your response immediately to:

Kristine Koch
Remedial Project Manager
United States Environmental Protection Agency, Region 10
Office of Environmental Cleanup, Mail Code ECL-115
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

If you have any general questions about the Site, you may call Kristine Koch at (206) 553-6705, or contact her by email at koch.kristine@epa.gov. If you have legal questions about this letter or if you are represented by legal counsel, you or your attorney may contact Lori Houck Cora, Assistant Regional Counsel, at (206) 553-1115 or cora.lori@epa.gov. Thank you for your cooperation in this matter.

Sincerely,



Deb Yamamoto, Unit Manager
Site Cleanup Unit #2
Office of Environmental Cleanup

Enclosure

cc: Ms. Lori Houck Cora w/o enclosure
USEPA, ORC

Ms. Kristine Koch w/o enclosure
USEPA, ECL